

ASSEMBLY BILL

No. 1512

Introduced by Assembly Member Garcia

February 22, 2005

An act to amend Section 50911 of the Health and Safety Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

AB 1512, as introduced, Garcia. California Housing and Infrastructure Finance Agency.

Existing law authorizes the Executive Director of the California Housing and Infrastructure Finance Agency to employ as general counsel for the agency an attorney at law licensed in this state to advise the board of the agency, the chairperson, and the executive director when so requested, with regard to all matters in connection with the powers and duties of the agency and its board members and officers.

This bill would authorize the general counsel, in his or her absence, to designate someone else to act in his or her behalf.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 50911 of the Health and Safety Code is
- 2 amended to read:
- 3 50911. (a) Notwithstanding Sections 11042 and 11043 of the
- 4 Government Code, the executive director may employ as general
- 5 counsel for the agency an attorney at law licensed in this state.
- 6 The general counsel, *or in his or her absence, the general*

1 *counsel's designee*, shall advise the board, the chairperson, and
2 the executive director, when so requested, with regard to all
3 matters in connection with the powers and duties of the agency
4 and the board members and officers thereof. The general counsel
5 shall serve as secretary to the board and shall perform all duties
6 and services as general counsel to the agency that the agency
7 may require of that person.

8 (b) Except as provided in Section 11040 of the Government
9 Code, the Attorney General shall represent and appear for the
10 people of the ~~State of California~~ *state* and the agency in all court
11 proceedings involving any question under this division or any
12 order or act of the agency. However, the agency may also employ
13 private counsel to assist in any court proceeding.

14 (c) Notwithstanding Sections 11042 and 11043 of the
15 Government Code, the executive director may appoint as bond
16 counsel for the agency an attorney or attorneys. Nothing in this
17 section or any other provision of law shall preclude the
18 appointment of more than one attorney to serve as bond ~~counsel~~,
19 ~~however counsel~~. *However*, at all times at least one attorney shall
20 be licensed to practice law in this state. If the agency appoints
21 more than one bond counsel for a bond issue, the combined fees
22 paid to all bond counsel shall not exceed those fees that would
23 have been paid had only one bond counsel been appointed.

24 (d) Under the authority of this section, the executive director
25 may appoint or retain an attorney or attorneys to undertake other
26 appropriate legal studies and assignments not in conflict with this
27 section.